

Government Orders

expiration of his sentence according to the law, an offence causing death or harm to another person, harm being described as serious physical or emotional injury.

With Bill C-45, clause 42, the National Parole Board would not be required to establish the existence or likelihood of injury, in the case of a sexual offence involving a child. It would need only be satisfied of the likelihood of the commission of a sexual offence involving a child before the expiration of the sentence according to the law.

In other words, where the board believes the risk is too high, the prisoner remains behind bars. The onus is substantially reduced.

The message is clear: when in doubt, do nothing.

In the case of sexual offenders in particular, it seems to me that the rule is sometimes applied in reverse. Release should not be statutory; it should always be based on the absence of any likelihood that a prisoner convicted of a sexual offence involving a child will commit a further offence.

There is no sexual crime more contemptible and loathsome than one involving a child. The very thought of it disgusts me.

Bear in mind that an individual who is eligible for parole or statutory release was properly tried and found guilty by a court of law and has exhausted all possible grounds of appeals.

This is an offender who has been jailed for the monstrous things he has done. We are not talking about a defendant at this stage. This is an individual serving time for the crimes he committed. He is paying his debt to society and to his young victim. As far as I am concerned, this is not high enough a price to pay; he could rot in jail.

The role of the parole board was questioned on several occasions. I myself disputed in this House the validity of certain decisions made by commissioners.

Repeat offenses must be denounced as unacceptable. The board is duty-bound to make the right decision concerning those convicted of sexual offenses involving children who are likely to re-offend: keep them in jail. The safety of the public, and children in particular, prevails over any right a prisoner may have if he or she poses too great a threat.

• (1125)

However, and this is the reason I tabled Motions Nos. 14 and 15, it is necessary to specify the admissible sources of "reliable information" which can be taken into consideration by the Correctional Service and which are referred to in clause 45 of the bill.

Police forces, prosecutors and probation services are examples of "recognized and dependable sources", as suggested in

Motions Nos. 14 and 15. If the bill is not specific in that regard, there is a risk that mere allegations could turn into conclusive evidence and create a despotic regime or, conversely, and this is what I fear most, encourage an interpretation which greatly favours the suspect and which could therefore result in a premature release. This is why I ask the House to support Motions Nos. 14 and 15.

Mr. Patrick Gagnon (Parliamentary Secretary to Solicitor General, Lib.): Madam Speaker, before presenting our position on the motion as it was tabled, I want to stress the good work of the hon. member for Saint-Hubert, and her colleague from Bellechasse. Indeed, the hon. member attaches a great deal of importance to details, and I often agree with her on those details.

However, as regards her motion, I maintain that the word "reliable" implies that the information comes from sources which are recognized and dependable. Moreover, the proposed wording is not in line with that used elsewhere in the Corrections and Conditional Release Act. Consequently, we feel that Motions Nos. 14 and 15 serve no useful purpose, and they will not be supported by the government.

The Acting Speaker (Mrs. Maheu): Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Mrs. Maheu): The question is on Motion No. 14. Is it the pleasure of the House to adopt the motion?

Some hon. members: Yes.

Some hon. members: No.

The Acting Speaker (Mrs. Maheu): All those in favour will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mrs. Maheu): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mrs. Maheu): In my opinion the nays have it.

Some hon. members: On division.

The Acting Speaker (Mrs. Maheu): I declare Motion No. 14 lost, on division. Therefore I declare Motion No. 15 lost.

(Motion No. 14 negatived.)

The Acting Speaker (Mrs. Maheu): Since there is unanimous consent, we will now move on to group 8, which includes Motions Nos. 24, 25 and 26.